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B I L L

TO

Amend the Law relating to the Repair and Maintenance of Public Roads in Ireland. A.D. 1905.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power of road authority to recover expenses of extra-ordinary traffic.

1. Where by a certificate of the county surveyor it appears to a county council that, having regard to the average expense of repairing or maintaining roads in the county, extraordinary expenses have been incurred by such council in repairing any road by reason of the damage caused by excessive weight passing along the same, or by extraordinary traffic thereon, such council may recover in a summary manner from any person by whose order such weight or traffic has been conducted the amount of such expenses as may be proved to the satisfaction of the court having cognizance of the case to have been incurred by such council by reason of the damage arising from such weight or traffic as aforesaid:

Provided that any person against whom expenses are or may be recoverable under this section may enter into an agreement with such council as aforesaid for the payment to them of a composition in respect of such weight or traffic, and thereupon the person or persons so paying the same shall not be subject to any proceedings under this section.

Recovery of expenses.

2. All expenses under this Act may be recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction (Ireland) Acts.

[Bill 116.]

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A.D. 1905.

Power of appeal.

3. Section thirty-seven of the Highways and Locomotives (Amendment) Act, 1878, shall apply to proceedings under this Act, and shall have full force and effect as if the same were expressly enacted herein.

Incorporated with Local Government Acts.

4. This Act shall be read and construed as one with the Local Government (Ireland) Act, 1898, and any Acts amending or extending the same. 5

Definition.

5. The expression "Summary Jurisdiction (Ireland) Acts" in this Act shall have the same meaning as in the Interpretation Act, 1889. 10

Commencement of Act.

6. This Act shall come into force immediately on the passing thereof.

Extent and short title.

7. This Act shall extend to Ireland only, and may be cited as the Repair of Roads (Ireland) Act, 1905.

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Public Roads (Ireland).

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BILL

To amend the Law relating to the Repair and Maintenance of Public Roads in Ireland.

Presented by Mr. O'Dowd,

supported by

Mr. Clancy, Mr. Conor O'Kelly, Mr. Patrick Aloysius M'Hugh, and Mr. Cullinan.

Ordered, by The House of Commons, *to be Printed,* 22 *March* 1905.

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[Bill 116.]

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